

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

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|---------------------|---|--------------------------|
| MATTHEW FITZGERALD, |) | |
| |) | |
| Petitioner, |) | |
| v. |) | No. 1:09-cv-1339-WTL-TAB |
| |) | |
| ALAN FINNAN, |) | |
| |) | |
| Respondent. |) | |

Entry Discussing Petition for Writ of Habeas Corpus

In a prison disciplinary proceeding identified as No. ISR 08-03-0271, Matthew Fitzgerald was found guilty of violating prison rules and was sanctioned. That determination has since been dismissed and the sanctions have been rescinded. All references to the case will be expunged from Fitzgerald's record. This renders the habeas action moot, and an action which is moot must be dismissed for lack of jurisdiction. *Diaz v. Duckworth*, 143 F.3d 345, 347 (7th Cir. 1998); *Board of Educ. of Downers Grove Grade School Dist. No. 58 v. Steven L.*, 89 F.3d 464, 467 (7th Cir. 1996), *cert. denied*, 117 S. Ct. 1556 (1997).

The respondent's motion to dismiss (dkt 10) is **granted**. Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 02/26/2010



Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana